

Serial No. 00/046,228
Response dated October 24, 2003 in
Reply to Final Action of August 25, 2003

REMARKS/ARGUMENTS

In the specification, Paragraph No. 0003 has been rewritten to include a description of newly added Figure 6. Additionally, a new paragraph has been added after Paragraph No. 0005 to provide a clear description of the structure shown in Figure 6, as now claimed in currently amended Claim 1 and as previously claimed in cancelled Claim 4.

New Figure 6 has been provided so as to more clearly indicate the nature of the contact between adjacent edges of the individual wooden elements, as now claimed in currently amended Claim 1 and as previously claimed in cancelled Claim 4. New Figure 6 clearly shows that the wooden elements together define a substantially continuous upper surface of said product of adhesive wood joinery.

Claims 1-3 and 5-15 remain in this application. Claim 4 has been cancelled following the substantial incorporation of its limitations into currently amended Claim 1. Claims 7-15 have been newly added with this amendment, but do not represent the addition of any new subject matter.

With this amendment, the limitations of now cancelled Claim 4 have been incorporated into currently amended Claim 1. It is my respectful submission that currently amended Claim 1 is not anticipated by Brown (US 4,564,024), nor is it made obvious thereby. In this regard, it is respectfully submitted that Brown discloses a flexible flooring construction having a broken traffic surface, with Brown specifying that joint sizes must be between 1/16" and 3/4". As such, the Brown construction is much like a corduroy road surface, and does not allow for smooth rolling or sliding of furniture items thereover. In use, heavy objects rolled across the Brown construction would clank from one tile to the next, thereby generating a significant amount of resistance for the wheeled object. By way of contrast, it is my respectful submission that the substantially unbroken and continuous wood surface that is claimed in currently amended Claim 1 is more akin to a paved road surface. The mobile wood joinery of the present invention provides for a rigid level surface when it is placed on a substrate such as a sub-floor. This significant improvement allows for wheeled furniture items to roll smoothly over the traffic surface of the present invention without resistance, rather than sinking into the flexible and interrupted construction that is disclosed by Brown.

It is my further respectful submission that the mobile wood joinery of the present invention has a number of additional and unexpected advantages over the modular tiles disclosed by Brown, some of which are set out hereinbelow. Aesthetically, the mobile wood joinery of the present invention will be seen to provide a substantially unbroken continuous wooden surface, with substantially negligible interstitial spaces, such that it has much the same appeal as a conventional hardwood floor surface. Functionally, the mobile wood joinery of the present invention provides a surface of consistent hardness that does not have dangerous soft spots that might catch or snag a high-heeled shoe. The present invention also avoids movement of the rubber joint at the traffic surface during expansion and/or contraction of the individual wooden elements. Otherwise, such joint movement might cause any finish applied to the traffic surface to break, chip or peel.

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As well, in designs that provide for interstitial spaces between individual tiles or wooden elements, compression of the rubber joint between such elements will naturally cause the joint to rise above the traffic surface, thereby forming a catch or snag that could impede cleaning. Similarly, stretching the joint would create a hollow that would hold dirt, dust, debris and even fluid. The present invention avoids both of these problems by providing a design wherein individual wooden elements together define a substantially unbroken and continuous traffic surface or upper surface on the product of adhesive wood joinery.

Additionally, the cross-sectional geometry of the present invention provides for a smaller joint volume and conserves joinery rubber, while also substantially minimizing exposure of the joint to UV, cleaners, solvents, etc. There is significantly reduced wear on the joint, and no 'crazing' of the joint material is visible over time at the traffic surface. This structure of the invention may also be used with joint sizes less than 1/16", and even with woods that are thinner than 1/20".

For all of the reasons aforesaid, it is my respectful position that currently amended Claim 1 is not anticipated by Brown (US 4,564,024), nor is it made obvious thereby. Reconsideration of the above-identified application in view of the preceding amendments and/or remarks with a view toward timely issuance of a Notice of Allowance is respectfully requested. If after reviewing this response, the Examiner believes that a telephone or personal interview would facilitate the resolution of any remaining matters, the applicant may be contacted at the number set forth hereinbelow.

Respectfully submitted

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1 Drawing Replacement Sheet